

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LISA M. JONES-MASON,

Appellant,

v.

TRYSTONE CAPITAL ASSETS., LLC,

Appellee.

Civil Action No. 23-3470 (RK)

MEMORANDUM ORDER

THIS MATTER comes before the Court upon a notice of appeal from the Bankruptcy Court on June 27, 2023 filed by Appellant Lisa M. Jones-Mason. (ECF No. 1.) Appellant appeals from the Bankruptcy Court’s June 8, 2023 “Order Granting [Respondent] Trystone’s Motion to Dismiss, Denying Debtor’s Motion for Summary Judgment, and Scheduling a Hearing on Debtor’s Motion Seeking a Preliminary Injunction.” (ECF No. 1-2.) Appellant did not file a designation of record within fourteen days as required by Federal Rule of Bankruptcy Procedure 8009.

On July 28, 2023, the Deputy Clerk of the United States Bankruptcy Court for the District of New Jersey filed a “Certification of Failure to File Designation of Record.” (Adv. Pro. Case No. 23-1093, ECF No. 45.)¹ The Certification states that “the appellant has failed to file such designation [of items to be included in the record on appeal and a statement of issues to be presented] or to request an extension of time within which to file same.” (*Id.*) No action appears to have been taken by Appellant since then to remedy this failure.

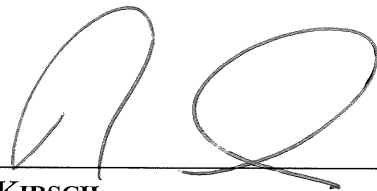
¹ The Certification of Failure to File Designation of Record was filed on the Bankruptcy Court’s docket, along with a notation that the Certification was transmitted to the District Court. (Adv. Pro. Case No. 23-1093, ECF Nos. 45, 46.) However, the Certification was not entered on the District Court’s docket. Regardless, Appellant received notice of the Certification through her participation in the proceedings before the Bankruptcy Court.

The Court also notes that the Bankruptcy Court granted Appellant's request to voluntarily dismiss the underlying bankruptcy proceeding on October 10, 2023, (Bkr. Case No. 22-13530, ECF No. 97), and dismissed Appellant's adversary proceeding, in which the order she now appeals was entered, on November 3, 2023, (Adv. Pro. Case No. 23-1093, ECF No. 77). Therefore,

IT IS on this 5th day of February, 2024,

ORDERED that Appellant must show cause in writing by February 15, 2024, why this appeal should not be dismissed with prejudice for failure to file a designation of record and statement of the issues to be presented in accordance with Fed. R. Bankr. P. 8009 or to otherwise prosecute this appeal; and it is further

ORDERED that the Clerk of the Court is directed to mail a copy of this order to Appellant's address on record.



ROBERT KIRSCH
UNITED STATES DISTRICT JUDGE